



# MONTHLY HIGHLIGHTS

NOAA  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
HABITAT CONSERVATION DIVISION

May 2001

GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930

## ESSENTIAL FISH HABITAT (EFH) COORDINATION

Staff from the Habitat Conservation Division (HCD) met with the Baltimore District of the Army Corps of Engineers (ACOE) to discuss ways to improve the EFH consultation process for their regulatory program. NMFS provided guidance on the information needed to adequately complete an EFH Assessment and a discussion progressed on the most appropriate way to convey the EFH information in Public Notices for various projects. NMFS introduced an EFH Assessment worksheet that has been developed for use by the ACOE to facilitate development of the assessments. The EFH Assessment Worksheet can be found on the NMFS' Northeast Habitat Conservation Division website at: [www.nero.gov/ro/doc/appguide.html](http://www.nero.gov/ro/doc/appguide.html), under the EFH Assessment section as the link "EFH Assessment Worksheet." The Regional Office will continue its outreach with the other ACOE Districts to build upon each District's successes. ([Lou.Chiarella@noaa.gov](mailto:Lou.Chiarella@noaa.gov), 978/ 281-9277)

## EFH STEERING COMMITTEE

The Steering Committee, which is comprised of staff from HCD, Northeast Fisheries Science Center, New England Fisheries Management Council, Mid-Atlantic Fishery Management Council, and the Atlantic States Marine Fisheries Commission, recently met to discuss the development of a Regional document on the effects of fishing gear on EFH in the Northeast. This document would be a reference document utilized by both Councils to fulfill their statutory requirements under the Magnuson-Stevens Fishery Conservation and Management Act to "minimize to the extent practicable, the adverse effects of fishing on EFH..." In support of developing this reference document, the EFH Steering Committee is planning to conduct a gear effects workshop sometime this fall. The Committee also discussed the status of various EFH source documents being prepared by the Science Center as well as the continued analysis of state fishery data sets to be used for updating EFH designations. At the request of the Mid-Atlantic Council, the Committee reviewed and commented on draft measures being developed by the Council to minimize the effects of fishing gear on EFH as part of Amendment 13 to the Summer Flounder, Scup and Black Sea Bass FMP. ([Lou.Chiarella@noaa.gov](mailto:Lou.Chiarella@noaa.gov), 978/ 281-9277)

## VOLUNTEERS CONSTRUCT SHELLFISH REEFS IN SOUTH MILL POND, N.H.

On May 29 approximately 90 Portsmouth Middle School students actively participated in constructing mussel reefs with South Mill Pond. Students measured mussels to create a baseline data set on the mussel population being transplanted. Together with community volunteers from the Great Bay Coast Watch and the South End Neighborhood Association, students formed a "bucket brigade" to build the mussel reefs at four locations within the pond. Their combined effort made the work

quick and easy.

South Mill Pond is a highly impacted tidal estuary in Portsmouth, NH. Organized by UNH faculty and students, the project includes the creation of mussel and oyster reefs and the enhancement of severely degraded salt marsh within the pond with the goal of improving water quality and fisheries resources. This project, An Integrated Multi-Habitat Restoration of South Mill Pond, is partially funded through NOAA's Community-Based Restoration Program. (Sean McDermott, 978/ 281-9113)

#### **UPDATE ON THE FISHING CAPACITY REDUCTION PROGRAM**

HCD Staff conducted nine public meetings from Toms River to Ellsworth to gain industry insight into the draft Fishing Capacity Reduction Program, a \$10-million initiative to compensate limited-access multispecies permittees who voluntarily surrender their permits. The meetings included lively and provoking discussions that ranged from the status of groundfish stocks to market issues and from vessel construction to the socio-economics of small fishing communities. HCD staff are considering the comments and will be meeting with NEFMC members and staff to develop the final plan for fair and effective bid process and disbursements. (Daniel.Morris@noaa.gov, 978/ 281-9237)

#### **MARINE PROTECTED AREAS EXECUTIVE ORDER**

Last week Secretary Evans announced that the Bush Administration intends to implement President Clinton's Executive Order 13158, which called for the development of a national system of marine protected areas (MPA). The MPA Executive Order has been controversial. Some industry interests have worried that it will be used to justify broad marine reserves or exclusion areas. Conservation interests have worried that the new administration would rescind the order. Secretary Evans addressed both sides when he stated, "Conservation can be balanced with commercial and recreational activity." Check out <http://www.mpa.gov>. (Daniel.Morris@noaa.gov, 978/ 281-9237)

#### **JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732**

#### **CROSSBAY PIPELINE**

HCD reviewed an EFH assessment prepared for Cross Bay Pipeline Company, L.L.C., and Transcontinental Gas Pipe Line Corporation's proposal to conduct hydrostatic testing of its 26-inch diameter pipeline (Lower New York Bay Extension) crossing Middlesex and Monmouth Counties in New Jersey and Queens and Nassau Counties in New York, to conduct hydrostatic testing and to replace sections of approximately 3.27 miles of the 42-inch extension in Middlesex County, New Jersey. The primary concern was the impingement and entrainment of eggs and larvae of a wide range of fish species including federally managed windowpane and scup. Conservation recommendations were provided to the Federal Energy Regulatory Commission (FERC) to minimize the potential for adverse effects. These recommendations included the use of a 2mm wedge wire screen, maintaining intake velocities at or below 0.5 feet per second and prohibiting all water intakes between May 1 and September 30 of any year. A response has not yet been received from FERC. (Karen Greene, 732/ 872-3023)

#### **HACKENSACK MEADOWLANDS**

##### **MEADOWLANDS INTERAGENCY MITIGATION ADVISORY COMMITTEE**

The MIMAC held its monthly meeting at the Howard Lab in May, but still without representation from the Hackensack Meadowlands Development Commission (HMDC). The ACOE continues to work on resolving outstanding issues with HMDC. One issue of concern to the MIMAC is

contamination on potential mitigation sites, and determining when a site is too contaminated to be used as a mitigation site. The issue is made more complicated by the widespread contaminants in areas of the Meadowlands. Discussions on this topic are ongoing. Other items discussed at the meeting include the mitigation for the New Jersey Turnpike Authority Secaucus Interchange project, EnCap Golf and Mill Corporation. **(Karen Greene, 732/ 872-3023)**

#### **US ARMY CORPS OF ENGINEERS ARTHUR KILL HOWLAND HOOK DEEPENING**

Our outstanding concerns regarding the proposed deepening have been largely resolved. HCD, ACOE and the New York Department of Conservation were able to agree on measures which would minimize impacts on EFH, and allow the project to move forward. The ACOE will use dredging windows and sequential dredging to protect winter flounder. They will also be providing compensatory mitigation for the loss of wetlands, mudflats, and subtidal shallows. HCD may provide the ACOE with additional comments on the mitigation plans as they are finalized. **(Karen Greene, 732/ 872-3023)**

#### **FERC**

HCD staff attended a meeting at the U.S. Fish and Wildlife Service Regional Office in Hadley, MA on May 16 to discuss revisions for reviewing procedures concerning FERC hydroelectric projects. The procedures are an attempt to streamline the review process. **(Stan Gorski, 732/ 872-3037 or Pete Colosi, 978/ 281-9332)**

#### **HUDSON RARITAN ESTUARY**

On May 29, Stan Gorski of HCD and Frank Steimle (NEFSC) attended the Hudson Raritan Estuary Federal Committee held at the New York District, ACOE's office in NYC. Issues discussed include the pending feasibility reports, the direction this restoration program should take, and potential cooperative tasks between NMFS and the ACOE. **(Stan Gorski, 732/ 872-3037 or Frank Steimle, 732/ 872-3059)**

#### **DUPONT CHAMBERS WORKS REMEDIATION**

Consultation for the Dupont Chambers Works, a state sponsored Interim Stabilization Measure and Mitigation Project, has been completed. Excavation of contaminants from the Delaware River, installation of a sheet pile bulkhead and placement of fill behind the bulkhead will result in the loss of 1.5 acres of unvegetated intertidal habitat. The capping of a solid waste management unit would result in the loss of 1.0 acre of a pond and 0.07 acres of freshwater wetlands. Mitigation at Helms Cove Beach will create 1.5 acres of intertidal habitat by excavating areas of uplands and a small isolated wetland to allow for tidal inundation. Adjacent areas will be planted with beachgrass and trees. Mitigation at Henby Creek will create 2.0 acres of emergent freshwater wetlands and will be planted with freshwater wetland species of herbaceous plants and shrubs. An invasive species control program will control common reed and purple loosestrife at the site with yearly monitoring and maintenance. **([anita.riportella@noaa.gov](mailto:anita.riportella@noaa.gov), 732/ 872-3116)**

#### **NEW JERSEY SHORE PROTECTION STUDY**

HCD is reviewing the draft environmental impact statement (DEIS), which proposes berm and dune restoration and beach nourishment using offshore borrow sites to protect the communities of Ocean City, Strathmere, and Sea Isle City, in Cape May County, NJ from storm damage. **([anita.riportella@noaa.gov](mailto:anita.riportella@noaa.gov), 732/ 872-3116)**

#### **PENNSYLVANIA TURNPIKE/INTERSTATE 95 INTERCHANGE PROJECT**

HCD is reviewing the DEIS for the new interchange between I-95 and I-276 in PA which would cross the Delaware River into New Jersey and proceed north along the NJ Turnpike to link with the

existing I-95 in North Jersey. This would make I-95 continuous along the East Coast. Habitat staff will be coordinating with Federal Highways regarding Section 404 and NEPA; and the Protected Species Division will be coordinating regarding the endangered shortnose sturgeon which are present in the Delaware River in this area. ([anita.riportella@noaa.gov](mailto:anita.riportella@noaa.gov), 732/ 872-3116)

**OXFORD, MD OFFICE, 904 SOUTH MORRIS STREET, OXFORD, MD 21654**

**CRANEY ISLAND DREDGE DISPOSAL SITE EXPANSION**

Another stakeholders meeting was held regarding the proposed expansion of the 2,500 acre Crane Island Dredge Disposal Facility in the Elizabeth and James Rivers, Norfolk, Virginia. The options considered range from 539 acres to 1016 acres of open water fill, or some combination of these options. The project includes a potential fourth marine terminal on the site. The study is entering the NEPA document stage. NMFS will be a member of the Technical Committee, as well as a stakeholder. Issues of concern for NMFS are EFH impacts and mitigation. Mitigation concepts under consideration are out of kind, and may include oyster habitat enhancement, Elizabeth River clean up, and wetland creation/restoration. (Rod Schwarm, 410/ 226-5771)

**ELIZABETH RIVER RESTORATION**

The Norfolk ACOE Draft EA document is under review for the Elizabeth River Restoration Project. The Elizabeth River system is considered an EPA area of concern due to the high levels of contaminated sediments. The proposal involves the removal of approximately 60,000 cubic yards of contaminated sediments from Scuffletown Creek, a tributary of the Southern Branch of the Elizabeth River, and the creation/restoration of 18 acres of wetlands and/or riparian buffer to improve water quality. Even in its present condition, the river is habitat for large numbers of juvenile spot and croaker, and migrating anadromous fish and their early life stages. We have proposed a time of year restriction to minimize the potential adverse impacts on these fin fish. (Rod Schwarm, 410/ 226-5771)

**POPLAR ISLAND**

The Poplar Island project, an approximately 1200 acre island restoration in Chesapeake Bay, is operational. Dredged material from the widening of Brewerton Channel, one of the Baltimore Harbor approaches, was deposited on 12 April into Cell 3, a wetland cell, which was filled to 60% of capacity in the first week of inflow. The targeted wetlands elevation will be achieved in the next cycle near the end of June or July. The expected volume from the Brewerton project is at least 2.6 million cubic yards, all placed in Phase I cells. These are wetland Cells 1 and 3 and upland Cell 2. Phase II construction is underway, with construction activities focused on the exterior dike. Monitoring of the effluent is being performed; habitat value and exterior monitoring is also on schedule. (Tim Goodger, 410/ 226-5771)

**STATE WETLAND CONSERVATION PLAN**

The State of Maryland has formed a stakeholder workgroup comprised of state, federal, and local government, as well as academia, private environmental and citizens groups, and industry, to develop a comprehensive plan for the conservation of wetland resources. One of the goals of the plan is to develop a wetland resource baseline against which status and trend are analyzed. Wetland management tools (e.g., statutes, regulations, programs) will be assessed for their effectiveness in wetland protection, and deficiencies will be identified, and corrective measures recommended. Existing and potential threats to wetland resources will be assessed, and wetlands for priority protection and restoration will also be identified. Plan development was initiated in 2000 and completion is anticipated by the end of 2001. (Tim Goodger, 410/ 226-5771)